IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.319 OF 2007

Abhiruchi Realtors Pvt. Ltd. .. Petitioner.

Versus

Mount Everest Co.Op. Hsg.Society Ltd. .. Respondent.

Mr.A.G.Damle for petitioner.

Mr.R.S.Shekhawat for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 2nd November, 2007.

P.C.:

1. On 19th October, 2007, I had recorded the statement of the respondent's Advocate about lack of response and instructions from the respondent. The Advocate for the respondent is, thus unable to proceed with the matter and seeks discharge from the proceedings.

He is accordingly discharged.

2. The arbitration petition is duly served as indicated in the office report. There is no affidavit filed in reply. Prima-facie case is made out in the light of the averments in the arbitration petition, which are

not denied till date. In such circumstances, all ingredients being satisfied, the interim measures need to be provided.

3. Ad-interim order passed by this Court on 21st September, 2007 to continue till the arbitral proceedings are disposed of. Petition is allowed accordingly. No order as to costs.

(S.C.Dharmadhikari, J.)